

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CECIL DUDGEON,

Petitioner,

v.

BERNARD WARNER,

Respondent.

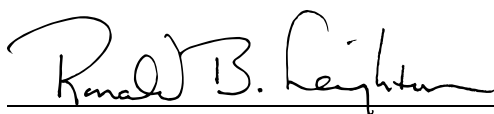
CASE NO. C13-5474 RBL-JRC

ORDER

The Court having reviewed the Report and Recommendation of the Hon. J. Richard Creatura, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The Court denies the petition on the merits pursuant to 28 U.S.C. § 2254(b)(2). Whether or not the community custody portion of petitioner's criminal sentence was stayed during his civil commitment is a state law question. Petitioner does not show a violation of Equal Protection by the state tolling the community custody portion of his sentence during civil commitment.

DATED this 22nd day of September, 2014.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE